

Application No.: 10/681,884  
Date of Amendment: 01/05/2006  
Date of Office Action: 07/05/2005

### REMARKS

The Office Action of July 5, 2005 has been carefully reviewed along with the art cited therein. Claims 1-16 are pending in the application.

The Specification and Drawings were objected to for failure to indicate in the Drawings reference sign 217, referred to in Paragraph 40, line 10, of the Specification. The Specification at Paragraph [0040] has been amended to refer to "actuator 216" which is indicated in Figure 5A. Further, the Specification and Drawings were objected to for the use of reference "112" to refer to both finished components and the out feed table. The Specification at Paragraph [0042] has been amended to refer to the out feed assembly 110. This accords with the usage of "110" and "112" in Paragraph [0036]. Finally, objection was made to the use of reference "201" as being used to refer to both the second cutting assembly and cutting blade. Paragraph [0046] of the Specification has been amended to correctly refer to "cutting blade 201." This comports with the Drawings. Additionally, Paragraphs [0036], [0038], [0045] and [0047] have been amended in accordance with the examiner's remarks. These amendments to the Specification are made to correct typographical and other obvious errors and to bring the Specification and Drawings into agreement. No new matter is added.

The Abstract has been amended as suggested by the examiner and in additional ways to better conform the Abstract to the claimed apparatus.

Claims 1-4 and 6-17, including each of the independent Claims 1, 9 and 14, were rejected under 35 USC 102(b) as anticipated by Johnson (4,574,670). While it is true that Johnson apparently is capable of rotating a cutting blade about a vertical pivot axis (Johnson, Fig. 2, C), moving the blade vertically (along Z), and rotating the blade about a bevel axis (B), as required in Claim 1, the Johnson mechanism is not capable of performing a stab bevel cut as required by the claims as amended. The independent claims each have been amended to make clear that the apparatus of the present invention performs a stab bevel cut by simultaneously moving the workpiece longitudinally and moving the cutting assembly vertically. That is, the cutting assembly or blade must be moved vertically (along axis Z1, see Fig. 5A) while the workpiece is moved longitudinally by the linear feed system (along path LM, Fig. 5A). This is described in the Specification at paragraphs [0053]-[0056]. Johnson does not teach such an apparatus or method. Johnson creates its cuts by rotating the

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workpiece about its longitudinal axis (Johnson, axis A or A', Figs. 2-3), then holding the piece still while moving the cutting blade vertically through the piece. The present invention is an improvement over the apparatus of Johnson as it eliminates the need for the complex clamping and rotating systems required to move the workpiece in Johnson. (Similarly, Johnson is not capable of creating a scarf cut since it does not move the workpiece simultaneously with the movement of the blade through the board. Such a cut is nowhere taught in Johnson.)

Claims 5 and 7 were rejected under 35 USC 103(a) as unpatentable over Johnson in view of In re Boesch. Claims 5 and 7 depend from now allowable independent claims, and as such are themselves allowable.

The claims are believed to be in condition for allowance and such action is requested. If the examiner is of the opinion that prosecution of the application would be expedited by a telephone conference, please do not hesitate to call the undersigned at 214.220.0444.

Dated: January 5, 2006

**CERTIFICATE BY FACSIMILE**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office  
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January 5, 2006  
Date of Deposit

Peter V. Schroeder  
Printed Name of Person Signing Certificate

Signature

January 5, 2006  
Date of Signature

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RESPONSE TO OFFICE ACTION OF JULY 5, 2005 - Page 10